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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JEAN L. DORVAL,

Plaintiffs,

**VS.**

STATE OF NEW JERSEY, TREASURY  
DEPARTMENT; THOMAS KOCZUR, in  
his individual and official capacity;  
JOHN DOE(s) 1-5; JOHN FURDA, in his  
individual and official capacity;  
JOHN DOE(s) 6-10

Defendants.

: Civil Action No. 2:20-cv-5997-SDW-CLW

Civil Action

## CONSENT ORDER

This matter having been opened to the court by Donald A. DiGioia, Esquire, of Donald A. DiGioia Law Group, P.A., attorneys for plaintiff, Jean L. Dorval, for an Order acknowledging that the Office of the Attorney General, as counsel for the Union County Prosecutor's Office, has waived its claim of privilege to the portions of two emails prepared by Union County Assistant Prosecutor Colleen Ruppert in November of 2016, (one of which was sent to A.P. Michael Henn and Detective Harvey Barnwell on November 18, 2016, and bate stamped as UCPO Nos. 40794-40796, and the other which was prepared by A.P. Ruppert and sent to A.P. Michael Henn in

November of 2016, and later forwarded by A.P. Ruppert to A.P. Julie Peterman on May 14, 2020, and listed as UCPO Nos. 28086-28088), insofar as the assistant prosecutor made reference to factual information pertaining to discussions with Elizabeth Police Officers Michael Gregory and Kevin McDonough, including the substance of the inquiries made by the assistant prosecutor of those officers, and the statements which they made in response to same, so that plaintiff may utilize those portions of the emails in the course of taking depositions, conducting discovery and/or trial of this case, in accordance with the Federal Rules of Court and the Federal Rules of Evidence, with the understanding that the remaining content of said emails shall remain privileged, and that plaintiff's counsel shall redact the remaining content of those emails, and that plaintiff's counsel shall destroy the copies of said emails which they reviewed and obtained in the course of their inspection of the original files in this matter at the Office of the Union County Prosecutor, and retain only copies of the redacted emails relating to Elizabeth Police Officers Michael Gregory and Kevin McDonough referred to above; and Deputy Attorney General Kevin A. Terhune, counsel for the State of New Jersey, Treasury Department, the Union County Prosecutor's Office, and the named employees of the Union County Prosecutor's Office having consented to the form and entry of this Order, and for good cause shown; it is, on this 25th day of April, 2024,

ORDERED, that, counsel for plaintiff, Jean L. Dorval, may utilize those portions of Union County Assistant Prosecutor Colleen Ruppert's emails (which are bates stamped as UCPO Nos. 28086-28088 and 40794-40796) which pertain to Elizabeth Police Officers Michael Gregory and Kevin McDonough in the course of taking depositions, conducting discovery and/or trial of this case, in accordance with the Federal Rules of Court and the Federal Rules of Evidence, and it is further

ORDERED, that the remaining content of said emails shall remain privileged; and it is further

ORDERED, that plaintiff's counsel shall redact the remaining content of those emails within 7 days of the date hereof; and it is further

ORDERED, that plaintiff's counsel shall destroy the copies of said emails which they reviewed in the course of their inspection of the original files at the Office of the Union County Prosecutor within 7 days of the date hereof, and retain only copies of the redacted emails relating to Elizabeth Police Officers Michael Gregory and Kevin McDonough, which are bated stamped as UCPO Nos. 28086-28088 and 40794-40796; and it is further

ORDERED, that a copy of this Order be served upon Deputy Attorney General Kevin A. Terhune and counsel for defendant Thomas Koczur within 3 days of the date hereof.

s/ Cathy L. Waldor  
HONORABLE CATHY L. WALDOR  
United States Magistrate Judge

I hereby consent to the  
form and entry of the above Order

Office of the Attorney General  
Attorneys for State of New Jersey,  
Treasury Department, the Union  
County Prosecutor's Office and  
Named Employees of the Union



By: D.A.G. Kevin A. Terhune